

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FEB 10 2021

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

APPROXIMATELY 69,370 BITCOIN  
(BTC), BITCOIN GOLD (BTG) BITCOIN  
SV (BSV) AND BITCOIN CASH (BCH);  
ROSS WILLIAM ULRICHT,

Defendants-Appellees,

v.

ADESIJUOLA OGUNJOBI, Proposed  
Intervenor-Plaintiff,

Movant-Appellant.

No. 21-15111

D.C. No. 3:20-cv-07811-RS  
Northern District of California,  
San Francisco

ORDER

Before: CANBY and FRIEDLAND, Circuit Judges.

Appellant's emergency motion for a stay (Docket Entry No. 11) is denied.

Appellant's motion for appointment of counsel (Docket Entry No. 7) is denied.

No motions for reconsideration of these denials will be entertained.

A review of the district court's docket reflects that the district court has deemed this appeal frivolous and has denied appellant leave to proceed on appeal

in forma pauperis. This court may dismiss a case at any time, if the court also determines the case is frivolous. *See* 28 U.S.C. § 1915(e)(2).

Within 35 days after the date of this order, appellant must:

- (1) file a motion to dismiss this appeal, *see* Fed. R. App. P. 42(b), OR
- (2) file a statement explaining why the appeal is not frivolous and should go

forward.

If appellant does not respond to this order, the Clerk will dismiss this appeal for failure to prosecute, without further notice. *See* 9th Cir. R. 42-1. If appellant files a motion to dismiss the appeal, the Clerk will dismiss this appeal, pursuant to Federal Rule of Appellate Procedure 42(b). If appellant submits any response to this order other than a motion to dismiss the appeal, the court may dismiss this appeal as frivolous, without further notice.

If appellant files a statement that the appeal should go forward, appellees may file a response within 10 days after service of appellant's statement.

The briefing schedule for this appeal remains stayed.

The Clerk shall serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward. Appellant may use the enclosed forms for any motion to dismiss the appeal or statement that the appeal should go forward.